

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Investigation on the Commission's own motion into the operations, practices, and conduct of Pacific Bell Wireless LLC dba Cingular Wireless, U-3060, U-4135 and U-4314, and related entities (collectively "Cingular") to determine whether Cingular has violated the laws, rules and regulations of this State in its sale of cellular telephone equipment and service and its collection of an Early Termination Fee and other penalties from consumers.

Investigation 02-06-003  
(Filed June 6, 2002)

**ADMINISTRATIVE LAW JUDGE'S RULING  
SETTING ASIDE SUBMISSION FOR RECEIPT OF LATE-FILED EXHIBIT 53  
AND ORDERING THAT PROCEEDING BE RESUBMITTED THEREAFTER**

Close review of Exhibit 1, the Staff Report, reveals that critical pages are missing from two customer declarations included in Attachment C to the report.

- Suzanne Strache. The declaration includes Bates #00101 and #00102 but text thereafter and signature page are missing; the next consecutive page, #00103, is a letter.
- Christin Waiton. The declaration includes Bates #00109 and #00110 but text thereafter & signature page are missing; the next consecutive page, 00111, is a letter.

Submission of this proceeding is set aside so that the Commission's Consumer Protection and Safety Division (CPSD), which sponsored Exhibit 1, may supply the missing pages to the record. CPSD shall submit the missing exhibit pages as an attachment to a document entitled "Late-Filed Exhibit 53,"

which shall be filed and served as soon as possible, but no later than July 16, 2003. This proceeding shall stand resubmitted on the next business day following the filing.

**IT IS RULED** that:

1. Submission is set aside so that the Consumer Protection and Safety Division may file "Late-Filed Exhibit 53," which shall supply the pages missing from Exhibit 1, as further described in this ruling.
2. The filing shall be made filed and served as soon as possible, but no later than July 16, 2003.
3. This proceeding shall stand resubmitted on the next business day following the filing.

Dated July 10, 2003, at San Francisco, California.

/s/ JANET A. ECONOME FOR JEAN VIETH  
Jean Vieth  
Administrative Law Judge

## CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Setting Aside Submission for Receipt of Late-Filed Exhibit 53 and Ordering That Proceeding Be Resubmitted Thereafter on all parties of record in this proceeding or their attorneys of record.

Dated July 10, 2003, at San Francisco, California.

/s/ ELIZABETH LEWIS

Elizabeth Lewis

## N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

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The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at

I.02-06-003 XJV/hl2

(415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.